



3653

Patent
Attorney's Docket No. 029150-116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) **NON-FEE RESPONSE**
Bertus Karel EDENS)
Application No.: 10/032,104) Group Art Unit: 3653
Filed: December 31, 2001) Examiner: J. Shapiro
For: PRODUCTION OF MAIL PIECES AND) Confirmation No.: 6139
PREPARATIONS THEREFOR)

REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

A Petition for Extension of Time is also enclosed.

A Terminal Disclaimer and the [] \$55.00 (2814) [] \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.

Also enclosed is/are _____.

Small entity status is hereby claimed.

Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the [] \$385.00 (2801) [] \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).

Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.

Applicant(s) previously submitted _____, on _____, for which continued examination is requested.

Applicant(s) requests suspension of action by the Office until at least _____, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

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No additional claim fee is required.

An additional claim fee is required, and is calculated as shown below:

| A M E N D E D C L A I M S | | | | | |
|--|---------------|---|--------------|--------------------|-------------|
| | NO. OF CLAIMS | HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR | EXTRA CLAIMS | RATE | ADD'L FEE |
| Total Claims | 18 | MINUS 20 = | 0 | × \$18.00 (1202) = | 0.00 |
| Independent Claims | 3 | MINUS 3 = | 0 | × \$86.00 (1201) = | 0.00 |
| If Amendment adds multiple dependent claims, add \$290.00 (1203) | | | | | 0.00 |
| Total Claim Amendment Fee | | | | | 0.00 |
| If small entity status is claimed, subtract 50% of Total Claim Amendment Fee | | | | | 0.00 |
| TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT | | | | | 0.00 |

A total fee in the amount of \$ _____ is enclosed.

Charge \$ _____ to Deposit Account No. 02-4800.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: October 27, 2003

By: Matthew L. Schneider
Matthew L. Schneider
Registration No. 32,814

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RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

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Sir:

In response to the Official Action dated September 26, 2003, the following remarks are submitted.

The aforementioned Official Action indicates that the claims in this application are directed to two different inventions. As identified in the Official Action, the two inventions are as follows.

Group I invention recited in Claims 1-8 directed to a method of mail production including scanning, inspecting and classifying postal items by physical property of said postal items.

Group II invention set forth in Claims 9-18 directed to a computer controlled mail sorting apparatus.

Based on the observation that the two inventions are distinct from one another, a restriction requirement has been imposed requiring an election of one of the two inventions.

Applicants hereby elect, with traverse, the Group II invention recited in Claims 9-18.

The election of the Group II invention is made with traverse because it is believed that all of the claims of this application can be examined at the same time without serious burden. While it is recognized that the two inventions may be separately classified, it is believed that the search required for the elected invention set forth in Claims 9-18 would likely extend into those areas where the non-elected invention would be searched. In addition, examining the claims directed to the non-elected invention in addition to those directed to the elected invention would only involve consideration of several additional claims.

In addition, the Official Action notes that the Group I and Group II inventions are distinct because the method as claimed can be practiced by hand. However, the claimed method involves a method for producing mail pieces *in a mail production apparatus*. It is not clear how the claimed method for producing mail pieces *in a mail production apparatus* can be practiced by hand.

In light of the foregoing, withdrawal of the restriction requirement, and examination of all of the claims of this application, including Claims 9-18 directed to the elected invention, are respectfully requested.

Should any questions arise in connection with this application, the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: October 27, 2003

By: Matthew L. Schneider
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Registration No. 32,814

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